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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

**OUTERBRIDGE ACCESS ASSOCIATION,
SUING ON BEHALF OF DIANE CROSS;
and DIANE CROSS, An Individual,**

Plaintiffs,

v.

**MARIE CALLENDER'S PIE SHOPS,
INC. d.b.a. MARIE CALLENDER'S
#254; PACIFIC BAGELS, LLC d.b.a.
BRUEGGARS BAGELS; COURTYARD
HOLDINGS, LP; AND DOES 1 THROUGH
10, Inclusive,**

Defendants.

Case No.: 07cv2129 BTM (AJB)

PROOF OF SERVICE VIA ECF

[Fed.R.Civ.P. 6(e)]

STATE OF CALIFORNIA, COUNTY OF SAN DIEGO

I am employed in the County of San Diego, State of California. I am over the age of 18 and not a party to the within action; my business address is 3033 Fifth Avenue, Suite 410, San Diego, California, 92103.

On this date, I served the following document(s) described as **FIRST AMENDED COMPLAINT** on all Defendants in this action:

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ATTORNEY FOR DEFENDANT COURTYARD HOLDINGS, LP

 X BY ELECTRONIC SERVICE TRANSMISSION via the United States District Court, Southern Division of California, Case Management/Electronic Case Files, Filing System. I served a copy of the above listed document(s) to the e-mail addresses of the addressee(s) by use of email as identified and maintained therein.

AND/OR BY:

1 _____ placing _____ the original _____ a true copy
2 thereof enclosed in sealed enveloped addressed as stated above.

3
4 _____ **BY MAIL:** I am readily familiar with the firm's
5 practice of collection and processing correspondence for mailing.
6 Under that practice, it would be deposited with the U.S. Postal
7 Service on the same day with postage thereon fully prepaid,
8 mailed at San Diego, California, in the ordinary course of
9 business. I am aware that on motion of the party served, service
10 is presumed invalid if postal cancellation date or postage meter
11 date is more than one day after date of deposit for mailing in
12 affidavit.

13
14 _____ **STATE:** I declare under penalty of perjury, under the
15 laws of the State of California, that the foregoing is true and
16 correct.

17 X **FEDERAL:** I declare that I am employed in the office
18 of a member of the Bar of this Court, at whose direction this
19 service was made.

20
21 **EXECUTED** on January 15, 2008, at San Diego, California.

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25 
Angela Payne